

United States Court of Appeals

FIFTH CIRCUIT
OFFICE OF THE CLERK

CHARLES R. FULBRUGE III
CLERK

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September 21, 2005

Ms Karen S Mitchell, Clerk
Northern District of Texas, Abilene
United States District Court
Room 2008
341 Pine Street
Abilene, TX 79604

No. 04-10630 Rosales v. BICE
USDC No. 1:03-CV-115

Dear Ms Mitchell:

We are enclosing a certified copy of an opinion-order on remand from the United States Supreme Court. The previous opinion denying the petition is withdrawn and this opinion is substituted. This opinion is issued as the mandate.

Sincerely,

CHARLES R. FULBRUGE III, Clerk

By:


Rhonda Flowers, Deputy Clerk

Enclosure

cc: Honorable Sam R Cummings
Mr Adrian Rosales
Ms Mattie Nell Peterson Compton